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NATIONAL OCEAN POLICY STUDY: PLANNING GUIDELINES AND WORK SCHEDULE FOR THE 94TH CONGRESS

PREPARED AT THE REQUEST OF

HON. WARREN G. MAGNUSON, *Chairman*

COMMITTEE ON COMMERCE

AND

HON. ERNEST F. HOLLINGS, *Chairman*

NATIONAL OCEAN POLICY STUDY

FOR THE USE OF THE

COMMITTEE ON COMMERCE

AND

MEMBERS OF THE NATIONAL OCEAN POLICY STUDY

PURSUANT TO

S. Res. 222

NATIONAL OCEAN POLICY STUDY

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MEMORANDUM OF EXPLANATION

U.S. SENATE,
SENATE COMMITTEE ON COMMERCE,
Washington, D.C., April 8, 1975.

DEAR COLLEAGUE: On February 19, 1974, the United States Senate adopted Senate Resolution 222, authorizing a National Ocean Policy Study. The Committee on Commerce, was directed to conduct the Study because of its long-standing jurisdictional interest over national and international issues involving the oceans and coastal zones.

This is a planning document for the use of the National Ocean Policy Study of the Committee on Commerce and its staff. Its purpose is to provide guidelines and work schedule goals for the Study activities during the 94th Congress, particularly the first session.

The Committee may wish to modify the guidelines and schedule to reflect general Senate concerns not evaluated or considered at this time but which may become greater priorities during the future.

This schedule of Ocean Policy Study activities for the 94th Congress reflects an extensive legislative program, involving not only the Committee on Commerce, but other Committees as well. The Ocean Policy Study will be assisted in this program by the Congressional Research Service (CRS) of the Library of Congress, the Office of Technology Assessment (OTA) and the General Accounting Office (GAO) by support of hearings, conduct of in-depth research, analyses and studies in specified areas.

The following sections of this document contain the planning guidelines and work schedule goals for the NOPS effort. Section I discusses activities related to coastal zone management and outer continental shelf affairs. Section II discusses activities related to fisheries. Two aspects of the reorganization of Federal ocean-related activities are discussed in Section III. Special studies are discussed in Section IV.

The enclosed planning guidelines and work schedule was submitted to all members and ex officios of NOPS. It reflects their comments and suggestions, as well as their approval, for the proposed work of the NOPS and its staff for the 94th Congress.

WARREN G. MAGNUSON,
Chairman, Committee on Commerce.
ERNEST F. HOLLINGS,
Chairman, National Ocean Policy Study.

I. COASTAL ZONE MANAGEMENT AND OUTER CONTINENTAL SHELF ACTIVITIES

Legislative activities related to Coastal Zone Management and the Outer Continental Shelf activities with which the Committee will deal during the 94th Congress, particularly the first session, include the following:

—General oversight of the Coastal Zone Management Act of 1972 and Federal activities thereunder;
—Committee interest in legislation to increase the supply of energy from the outer continental shelf;
—Examination of current attitudes of State executive and legislative personnel in regard to offshore oil and gas developments;
—Examination of the environmental and socio-economic impact of offshore oil and gas developments on the coastal zone;
—Consideration of non-petroleum, ocean-related energy sources to complement the oil and gas resources of the continental shelf;
—Consideration of the issues of public access to beaches and islands, and their recreational use;
—Examination of certain provisions of the Marine Protection, Research, and Sanctuaries Act of 1972 as they relate to other concerns of the Committee discussed in this paper;
—Oversight of deepwater port activities;
—Committee interest in land use policy and planning legislation and energy facilities siting.

These Committee activities are discussed in detail in the following sections of the report.

1. GENERAL OVERSIGHT OF THE COASTAL ZONE MANAGEMENT ACT OF 1972

The Coastal Zone Management Act of 1972 [1] became effective in October, 1972, but its implementation was delayed for almost a year due to lack of funding support from the Administration. After extensive negotiations between members of the Committee on Commerce and the Administration, it was agreed that appropriations would be made available for implementing the Act. Subsequently $12 million was appropriated, and in 1974, 31 of 34 coastal States and territories were awarded grants to begin the development of their coastal zone management programs.

In January of 1975, some technical amendments to the Act were approved as Public Law 93–612. These amendments made several changes in authorization levels and allocation formulas for program development, program administration, and estuarine sanctuaries grant programs in order to provide greater flexibility in the administration of grants.

[1] Public Law 92–583, 86 Stat. 1280, 92nd Congress, S. 3507, October 27, 1972.

During the 94th Congress, NOPS will continue its oversight of the Coastal Zone Management Act to assure that it is administered to serve the needs of the coastal States with proper implementation of the Congressional intent. Oversight review in the nature of NOPS hearings or Commerce Committee hearings on legislation are contemplated during the first session to deal with the following problem areas:

A. Extension of Sections 305 and 306 grant authority

While NOPS finds that NOAA's Office of Coastal Zone Management has done an excellent job in reviewing and approving section 305 grant applications in the short time funding has been available, the unforeseen delay in funding the Act has caused significant delays in beginning the development of coastal zone management programs in many coastal states. This means that whereas a State originally had a maximum of 5 years from the date of enactment to be eligible for section 305 development grants to complete its program, in reality that time has been reduced to less than 4 years. In the same vein the State's ability to take full advantage of section 306 administrative grants upon completion and approval of its program is diminished considerably.

This loss of more than a year in potential grant assistance is further complicated by increased energy development pressures on the coastal zone which have thrust additional planning requirements on some coastal states, pressures which were also foreseen at the time the Act was passed.

Oversight on this issue will focus on the need for additional time for coastal States to complete their planning process and to assure availability of grant assistance for management of a program once it has been approved.

B. Need for interstate coordination grant assistance program

At the present time the Act requires that coastal States coordinate their coastal zone programs with those of other coastal States. However, no funding exists to encourage regional or interstate agencies to develop interstate coastal plans which mesh with programs of two or more adjacent coastal States. With OCS development, deepwater ports, and increased energy siting activity in the coastal zone, interstate planning for large scale facilities assumes much greater importance because the impacts of these activities are, more often than not, regional in impact. S. 586, the Coastal Zone Environmental Act of 1975, includes provisions authorizing $5,000,000 for interstate coordination. Hearings on this bill, and in joint Commerce Committee-Interior Committee hearings on offshore oil and gas development legislation planned for March and April, will serve as a forum for discussion of this particular problem.

C. Coastal research assistance

The National Advisory Committee on Oceans and Atmosphere (NACOA) has recommended that a grant program be established under the Act to provide coastal States with funds to undertake specific research projects, either in-house or through contract, asso-

ciated with the development of a coastal zone management program.[2] S. 586 includes a provision to establish such a program, and it will be closely considered in Commerce Committee hearings on that bill.

The National Oceanic and Atmospheric Administration, which is responsible for administering the Coastal Zone Management Act, also lacks the funding, but not the authority, to do impact studies of energy-related activities in the coastal zone. NOPS will give attention to enhancing the effectiveness of NOAA in doing research on the impacts of OCS development, deepwater ports, and other energy activity on the marine and coastal environment. It is expected that such information can be funneled into environmental impact statements and State coastal zone management programs so as to improve their acceptability to the general public and their applicability to decision-making.

D. National interest and Federal consistency

Two questions concerning the Coastal Zone Management Act that are expected to become important as coastal States move to complete their coastal zone programs and submit them for Commerce approval concern (1) the nature of the "national interest" in coastal zone management and (2) the meaning of the so-called "federal-consistency" provision contained in section 307 of the Act.

The Coastal Zone Management Act clearly states that there are certain aspects of coastal zone management that reflect a national interest. The Office of Coastal Zone Management has attempted to define national interest through regulations for the purpose of reviewing the adequacy of state programs. It is incumbent upon NOPS and the Senate Committee on Commerce to practice close oversight of the review of state programs to assure that an arbitrary definition of the national interest does not prevent any State's coastal zone management program from being approved. On the other hand, NOPS oversight will assure that national interest standards are not so lax as to be meaningless.

With regard to the "federal consistency" provision, many coastal states faced with offshore oil and gas development off their shores view this as the major Federal "carrot" for developing a coastal zone program. This provision provides that once a state's coastal zone program has been completed and approved, all Federal licenses and permits affecting that program shall be consistent with the state's approved coastal zone program. It is generally agreed that the term "licenses and permits" applies to energy development on the Outer Continental Shelf beyond the 3-mile limit, however it is expected that this will eventually be the subject of court proceedings to determine clarifications. In view of this emerging conflict, NOPS plans to examine the applicability of the federal consistency provision to OCS development to determine if more specific language is required in the Act. One proposal, which has been included in S. 586, the Coastal Zone Environment Act of 1975, would make the Act specific with regard to leases and the development, production, and energy facilities siting activities which directly or indirectly affect the coastal zone. This pro-

[2] National Advisory Committee on Oceans and Atmosphere. A Report to the President and the Congress: Third Annual Report, Washington, June 28, 1974: 34.

vision will be the subject of discussion by the Commerce Committee and the National Ocean Policy Study in upcoming Senate hearings on S. 586.

2. NOPS INTEREST IN IMPROVING LEASING POLICIES FOR FEDERAL OFFSHORE OIL AND GAS RESOURCES

A. NOPS Offshore development/coastal zone legislation

Last year NOPS devoted most of its time and efforts to a study of the environmental, social, and economic impacts of Outer Continental Shelf oil and gas development, and published four reports, with recommendations, which addressed ways in which present Administration leasing polices can be improved without delaying development. These recommendations formed the basis for S. 426, "The Outer Continental Shelf Lands Act Amendments of 1975," which was introduced by Senator Hollings and 21 other Senators on January 27, 1975. The major features of this legislation are the separation of exploration from development, the creation of a government-sponsored exploration program prior to leasing, designation of NOAA as the lead agency for environmental monitoring and Environmental Impact Statements for specific lease tracts, the creation of a $200 million oil spill liability fund, and State and Congressional approval of Interior's leasing program.

A complementary proposal, S. 586, has also been introduced by Senator Hollings. Based also on the Study's hearings and report, this bill amends the Coastal Zone Management Act of 1972 to provide greater assistance to coastal States in ameliorating onshore impacts of OCS development. While this legislation includes other provisions than OCS-related ones, its principal feature is the creation of a Coastal Impact Fund of up to $200 million a year for use by coastal states in planning and managing the impacts of OCS development. In addition, it would be used to compensate state and local governments for public services and facilities required to support the influx of new working populations and economic dislocations resulting from energy related activity.

The Senate Interior and Insular Affairs Committee, which has jurisdiction over OCS legislation, has invited the National Ocean Policy Study to participate in hearings on S. 426, S. 586, S. 521 (the "Energy Supply Act" which passed the Senate last year and which has been reintroduced by Senator Jackson), and S. 740, a bill to create an Energy Resource Production Board to explore and develop energy resources on the OCS. These hearings, which will cover a whole realm of issues not previously considered last year, were to be held March 14, 17, 18 and April 8 and 9.

In addition, it is expected that separate Commerce Committee hearings will be held on S. 586 and various other bills which propose to amend the Coastal Zone Management Act so as to provide better protection and planning of coastal growth and development impacts.

B. Examination of the impact of offshore oil and gas development on the coastal zone; case studies

NOPS has employed the case study approach in examining and understanding the impacts of oil and gas development on the coastal

zone. During 1974 the Study held hearings in Santa Monica, California to examine the impact of the proposed Southern California lease sale and the role of state and local governments and coastal zone management in OCS decisionmaking. These hearings led to the preparation of a report entitled "Outer Continental Shelf Oil and Gas Leasing Off Southern California: Analysis of Issues," which has been used along with other NOPS reports as a basis for drafting S. 426 and S. 586.

Another major case study has been undertaken at the National Ocean Policy Study's request by the Office of Technology Assessment. This study, which is being done under contract, will look at the various types of energy facilities proposed in the New Jersey and Delaware coastal zones to determine their impact on the local tax base, economy, and environment. This study is the first of its kind and should prove invaluable in congressional decisionmaking with regard to such issues as OCS development, energy facilities siting, land use and growth policy, and coastal zone management. It is expected that the final draft of the study will be ready by the summer of 1975.

Other case studies already on the books are being analyzed closely by the NOPS staff and the Ocean Policy Study Group in the Congressional Research Service, Library of Congress. One, recently completed by the Texas Coastal and Marine Council, has found that accelerated development of the South Texas leasing area could cost Texas upwards of $32 million annually in revenues over the amount oil companies are expected to contribute. (This study indicates costs of benefits of OCS development that may be atypical of the norm due in a large measure to the tax structure in the State of Texas.)

Such case studies would provide the Study with informational feedback on the actual effects of oil and gas development presently being experienced by oil producing states. These studies will be used to supplement the hearing process and to add to the growing body of data on this subject.

C. Examination of current state attitudes about offshore oil and gas development

Public attitudes about current and anticipated offshore oil and gas and other facility developments are an important factor in the success of coastal zone development, management, and planning. Public acceptance of offshore developments, such as deepwater ports and floating power plants, and the onshore support facilities, such as tank farms and refineries, has a direct bearing upon how expeditiously and effectively an accelerated offshore development program in frontier areas can be realized.

The attitudes of State governmental personnel both reflect and focus these public attitudes. NOPS will continue to survey and monitor the attitudes of State and local governments in an effort to develop policies which will assure adequate consideration of the problems that will be thrust upon coastal communities as a result of increased energy-related development in the coastal zone.

The NOPS staff has worked closely with the Coastal States Organization and the National Governor's Conference Energy Policy Project in formulating its recommendations on offshore development and coastal zone management. A major effort will be made prior to hearings on bills to amend the OCS Lands Act to assure that every State is given an opportunity to comment on S. 426, S. 586 and other proposals being

considered in joint Interior-NOPS hearings proposed for March and April. If successful, this practice will continue to be employed on other issues before the Study to assure that NOPS recommendations and proposals are subjected to the closest possible scrutiny and criticism.

3. CONSIDERATION OF NON-PETROLEUM, OCEAN-RELATED ENERGY SOURCES TO COMPLIMENT THE OIL AND GAS RESOURCES OF THE CONTINENTAL SHELF

It is apparent that the development of the Nation's oil and gas resources in the continental shelf is not without real dangers to the coastal and marine environment. In addition to finding petroleum substitutes for continental shelf oil and gas resources, NOPS plans to examine the feasibility of developing nonpetroleum energy alternatives to complement continental shelf oil and gas resources, coal and other traditional forms of energy.

Non-petroleum ocean-related energy sources include thermal gradients (a form of solar energy); offshore wind-powered generators; tides, waves, and currents; hydrogen production; salinity gradients; and osmotic pressure effects. Of these, probably only thermal gradients and wind power have potential for significant intermediate-term (to the year 2000) contributions to national energy supply requirements.

The House Committee on Science and Astronautics (now the Committee on Science and Technology) held hearings in 1974 [3] on the technological aspects of solar sea thermal energy. Existing technological problems are not insurmountable, in fact, technology apparently exists to produce solar sea thermal energy in commercially-acceptable amounts, although working engineering systems have not as yet been demonstrated. Thus, development of a feasible national program in solar sea thermal energy production requires the development of workable demonstration programs and, then, commercial systems.

Because ocean thermal gradient energy production could conceivably contribute up to about ten percent or more of national electricity demands by the year 2000, and because such an energy supply could complement or substitute for oil and gas energy production in the continental shelf, the Committee now may wish to investigate more thoroughly the potentials of this and related ocean energy sources, particularly wind energy production.

NOPS examination of the intermediate-term potential for commercial development of non-petroleum, ocean related energy sources could be preceded by preliminary background analyses of the state of present technology, key issues of congressional concern, and summaries of current research efforts in this area.

4. CONSIDERATION OF THE ISSUES OF ACCESS TO BEACHES AND ISLANDS AND THEIR RECREATIONAL USE

Over the past several years Congressional legislative proposals and hearings have dealt with the issue of public access to the Nation's pub-

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[3] U.S. Congress. House. Committee on Science and Astronautics. Subcommittee on Energy. Solar Sea Thermal Energy. Hearing, 93d Congress, 2d Session. May 23, 1974. Washington, U.S. Govt. Print. Off., 1974. 134 p.

lic beach areas and preservation of coastal islands. These issues will become increasingly critical as the demand for residential and recreational space continues to increase and conflicts arise between the plethora of competing uses. New demands for energy facilities sites forebode even a further decrease in accessible beach areas, and islands likely targets for staging areas.

The Committee may wish to consider amendments to the Coastal Zone Management Act to encourage States to develop plans to ensure the right of access to public beach areas, and preservation of islands. The Coastal Zone Management Act already provides the framework to which such a program could be attached without interrupting the schedule of coastal States for completion of their coastal zone programs. Funds of up to $50 million could be made available for acquisition of threatened areas. Such legislation could be considered as part of the general oversight of the Coastal Zone Management Act, or in hearings specifically concerned with beach access and recreation.

The NOPS staff and CRS could provide support for hearings on beach access and recreation by collecting and analyzing previous hearings and legislative proposals on this subject. Following such hearings, CRS could conduct in-depth analyses of testimony and related matters, if requested by the Committee, in support of legislative proposals related to beach access and recreation.

5. EXAMINATION OF CERTAIN PROVISIONS OF THE MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT OF 1972

NOPS will examine certain provisions of the Marine Protection, Research, and Sanctuaries Act of 1972. [4]

Title III of the Act, dealing with marine sanctuaries, provides that the Secretary of Commerce, after consultation with other Departments and with the approval of the President, may designate as marine sanctuaries those areas "which he determines necessary for the purpose of preserving or restoring such areas for their conservation, recreational, ecological, or esthetic values." Under the Act, marine sanctuaries may be designated in ocean waters as far seaward as the outer edge of the continental shelf, in other coastal waters where the tide ebbs and flows, or in the Great Lakes and their connecting waters.

Thus the Act, on its surface, would appear to be broad enough to be used as a vehicle for preserving oil and gas reserves in the outer continental shelf (and for the beneficial development of the other ocean areas where aquaculture might be promoted under a national program.

The Committee will examine possible widespread uses for marine sanctuary areas and the importance to national development of a comprehensive program of setting aside marine areas for salutary purposes before the conservation, recreation, ecological, or esthetic values of such areas were irreparably damaged or destroyed through coastal zone and outer continental shelf developmental activities.

NOPS could ask the CRS to analyze the relationship of this Act to possible marine sanctuary areas of interest to the Senate, such

[4] P.L. 92–532, approved Oct. 23, 1972.

as those discussed above. Such an analysis could also investigate the need for amendments to the Marine Protection, Research, and Sanctuaries Act vis-a-vis the need for new legislative provisions under, perhaps, the Coastal Zone Management Act of 1972.

As a corollary to the activities mentioned in the preceding paragraphs, the NOPS will examine how the National Seashore program and possibly other programs of the Department of the Interior relate to the Coastal Zone Management program, and how such functions of the Department of the Interior related to these programs could be better coordinated with programs administered by the Office of Coastal Zone Management of the Department of Commerce or other organizations.

6. OVERSIGHT OF DEEPWATER PORT ACTIVITIES

The Deepwater Port Act of 1974 (P.L. 93–627) was enacted during the closing days of the 93d Congress and approved by the President on January 3, 1975. The Committee shared responsibility for the consideration of this Act with the Senate Committees on Public Works and Interior and Insular Affairs.

The Committee may schedule hearings, possibly joint hearings, to determine if the purposes of the Act are being fulfilled; to determine how many licenses have been issued for port development; how many, if any, deepwater ports are under construction; what problems have developed in the administration of the Act, and so on.

7. COMMITTEE INTEREST IN LAND USE POLICY AND PLANNING LEGISLATION

NOPS will monitor the progress of National Land Use Policy legislation as it pertains to the Coastal Zone Management Act and its implementation.

Legislation has been introduced in both Houses of Congress which would establish a national land use program to be administered by the Department of the Interior. A version of the land use bill passed the Senate in June of 1973 but failed to gain acceptance by the House prior to adjournment of the 93rd Congress.[5] This year, the new version of the "Land Resource Management Act" contain appropriate language requiring coordination of state land use programs with ongoing coastal zone programs, insuring the integrity of the Commerce Department's coastal zone program and assuring that any state land use program developed in accordance with the bill will be consistent with an approved state coastal zone management program. The bills also contains language which would give the Department of Commerce joint review authority over any state land use program for a coastal state.

Land use decisions for coastal and inland areas cannot be made in a vacuum. There will, by necessity, be many areas of overlap. The Coastal Zone Management Act is the nation's only land use policy and planning program for the coastal areas of the nation, with the definition of coastal zone (and hence the jurisdiction of each State's program) being left to the individual states to determine according to their own

[5] See, S. 268 of the 93rd Congress, the Land Use Policy and Planning Assistance Act; H.R. 10294, the Land Use Planning Act of 1974; and H.R. 13790, the Land Use Planning Assistance Act.

needs. The Federal land use program will be structured similar to the Coastal Zone Management Act in that it would create a system of grants to encourage states to develop and implement a land use planning program within a given period of time. The legislation proposes that the Department of the Interior would have jurisdiction over the program.

In view of the fact that many coastal states will have completed their coastal zone plans before land use legislation is passed by the Congress, it is essential that this legislation not compromise in any way what has already been accomplished in the coastal zone. Close coordination is therefore essential at all levels of government, but essentially at the state level.

This does not mean that the two programs should be combined at either the Federal or State levels in order to be effectively administered. The coastal zone is an ecosystem quite different from inland areas, and in most cases, under much greater development pressures. By its very nature it needs the special attention that the Coastal Zone Management Act provides. And the expertise of an ocean-coastal zone oriented agency like NOAA, which currently administers the program, is an important aspect of the program's success.

Because of the implications of land use legislation for the future of the coastal zone management program, NOPS will continue to follow the land use legislation as it moves through the Congress and to make necessary recommendations to appropriate committees as necessary to improve the coordination and administration of the two programs.

Another critical point of interface between land use legislation and the Coastal Zone Management Act in the 94th Congress concerns the designation of areas both suitable and unsuitable for energy facilities siting and to improve methods for the siting of such facilities. Senator Jackson's new Land Use bill addresses this need in a new Energy Facilities Planning title, which would require a state energy facilities siting plan to be reviewed and approved by the Federal Energy Administration.

NOPS recognizes that coastal areas are prime targets for a variety of energy facilities, primarily because of increasing oil imports and accelerated development of oil and gas lands on the OCS. Two studies are presently underway at NOP's request in the Office of Technology Assessment which NOPS hopes will provide information as to how energy facilities siting decisions can be made in the coastal zone using the management structure provided in the Coastal Zone Management Act. The first study is an assessment of the impacts of proposed energy facilities on the states of New Jersey and Delaware, scheduled for completion in the summer. The second is an assessment of the growth and land use implications of energy facilities in the coastal zone, which should be completed in the fall. NOPS will use the finding of these reports to make recommendations in the form of legislation to the Congress for dealing with the energy facilities siting problem in coastal areas. In addition, NOPS will study the possibility of broadening the "Coastal Impact Fund" in S. 586, to encourage proper siting of energy facilities to accommodate regional and state energy needs. These issues were aired in a series of hearings in March and April held jointly with the Committee on Interior and Insular Affairs and the Committee on Commerce and NOPS.

II. FISHERIES

Legislative activities related to fisheries with which the NOPS will conduct during the 94th Congress, particularly the first session, include the following:

—Reconsideration of the 200-mile emergency marine fisheries legislation;
—Examination of the need for Federal-State management of marine fisheries and marine fishing industries;
—Review of and hearings on the National Fisheries Plan; and
—Hearings to consider a national program in aquaculture.

These possible Committee activities are discussed in detail below:

1. RECONSIDERATION OF EMERGENCY MARINE FISHERIES PROTECTION LEGISLATION

The Commerce Committee held 15 days of hearings on the Emergency Marine Fisheries Protection Act of 1974 (S. 1988) during the 93d Congress. Following referral and consideration by the Senate Committees on Foreign Relations and Armed Services, the Senate passed the bill on December 11, 1974. The following day the bill was referred to the House Committee on Merchant Marine and Fisheries, but no House action was taken before the 93d Congress adjourned sine die.

Emergency marine fisheries legislation has been reintroduced early in the 94th Congress. Consequently, the Committee, early in the first session, will evaluate the need for further hearings on the subject in terms of the likely outcome of the 1975 Geneva Law of the Sea Conference and the actual status of the U.S. marine fisheries industry by midyear 1975. The NOPS staff will prepare studies on specific aspects of fisheries management and a 200-mile fishery management zone. For example, before June 1975 (the approximate completion of the Geneva session of the U.N. Law of the Sea Conference) the staff will examine how both U.S. domestic and distant-water marine fisheries are being affected by foreign fishing and how the existing situation might change either through (1) the unilateral assertion of U.S. fishery management jurisdiction over fish within a 200 nautical mile zone or (2) the outcome of the 1975 Geneva Conference on the Law of the Sea.

2. EXAMINATION OF MARINE FISHERIES AND MARINE FISHING INDUSTRIES

NOPS will examine several other aspects of marine fisheries and marine fishing industries during the 94th Congress, including the economic climate of the fishing industry and management in the contiguous fishery zone. The staff plans to seek the assistance of the National Academy of Sciences in conducting an analysis of this subject.

The CRS will be asked to conduct economic analyses of specific fishing industries and examine how those fishing industries which are in

financial and other difficulties might be assisted by new Federal legislation or improved administration of existing laws and programs.

3. REVIEW OF THE NATIONAL FISHERIES PLAN

The National Marine Fisheries Service of the Department of Commerce is in the process of preparing a comprehensive National Fisheries Plan. A preliminary report,[1] for review purposes only, was circulated to interested parties in the latter part of 1974. After comments are received from reviewers and the plan completed, the final version will be published in early 1975.

The goals which the National Fisheries Plan are to address are the following:

—Restore and maintain fishstocks of interest to the United States;
—Develop and maintain a healthy commercial and recreational fishing industry;
—Improve the contribution of marine resources to recreation and other social benefits; and
—Increase the supply of wholesome, competitively priced fisheries products to the consumer.

These goals also represent the special competence and interests of NOPS. NOPS will review the National Fisheries Plan in depth and also hold hearings to examine specific aspects of the Plan which represent special national problems or areas of legislative concern which are particularly amenable to legislative redress at this time.

NOPS, with the assistance of the CRS, OTA and GAO, will provide preliminary background materials and analyses to help the Committee evaluate the National Fisheries Plan, to examine ways in which fisheries management can be improved, and to formulate necessary legislature remedies.

4. HEARINGS TO CONSIDER A NATIONAL PROGRAM IN AQUACULTURE

Legislation was introduced in the 93d Congress to provide for a national program for aquaculture development.[2] The planned cultivation and harvest of marine resources is becoming an increasingly important aspect of the development of national marine fisheries in light of the increasing world demand for food from the oceans and the overfishing of and damage to some of the world's best marine fishing stocks.

While aquaculture [3] is currently being practised to some extent, it is apparent that a great deal more scientific and technical support, and more information, is required if the industry is to make a significant contribution to national fishery production.

The Committee, probably during the second session, plans to examine what contribution the Federal Government can make to the development of a viable national aquaculture industry.[4]

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[1] U.S. Department of Commerce, National Marine Fisheries Service, A Draft Outline for the National Fisheries Plan, Washington, U.S. Department of Commerce, National Marine Fisheries Service, August 1974.

[2] H.R. 12518, the National Aquaculture Development Act of 1974.

[3] "Aquaculture" in the context of this paper includes the term "mariculture".

[4] The National Fisheries Plan (see Subsection 3, above) will consider what Federal actions may be required to assist in the development of a national aquaculture capability, specifically in regard to salmon, oysters, shrimp, lobster, other mollusks, other marine species, and freshwater species.

III. REORGANIZATION OF FEDERAL OCEAN-RELATED ACTIVITIES

Government organization in oceanic affairs and the Federal ocean budget will receive close attention from the National Ocean Policy Study in the 94th Congress. The Study will work closely with the Committee on Government Operations to examine proposals for improving agency programs. This effort will focus on the National Oceanic and Atmospheric Administration (NOAA) in the Department of Commerce and marine-related functions of the Department of the Interior, the U.S. Coast Guard of the Department of Transportation, the National Science Foundation, the U.S. Army Corps of Engineers, the Oceanographer of the Navy, and others. One goal of the Study will be to recommend alternative arangements in Government organization in order to improve the efficiency of the Federal government's efforts in the areas of marine science and oceanic affairs.

At the request of the National Ocean Policy Study, the General Accounting Office has undertaken an extensive survey of all Federal ocean programs and their budgets. The first of two volumes to emerge from GAO's study was released in February 1975. It contains a detailed breakdown of all marine activities in the Federal structure and itemized budgets for those activities covering fiscal years 1972 through 1975. The second volume, a GAO analysis of the problems inherent in current organization and funding practices, is expected in May 1975.

Additionally, the Congressional Research Service of the Library of Congress is preparing a paper tracing the evolution of the current Federal organization in marine affairs and examing two alternative reorganization proposals. The first alternative is the establishment of an independent oceanic agency with NOAA as the central core but comprised also of several important oceanic programs currently housed within other agencies and departments. The second alternative is the creation of a new Cabinet department combining important oceanic, atmospheric and environmental functions.

The Study plans to solicit the views and ideas of members of the marine affairs and environmental communities as well as experts in organization and intergovernmental relations through one or more symposia to be held in cooperation with the Library of Congress. If appropriate, these fact-finding efforts will be followed by the introduction of legislation and the scheduling of joint hearings with the Committee on Government Operations.

IV. SPECIAL STUDIES

In addition to the various analyses and Committee support activities discussed in the preceding sections, the NOPS will undertake additional studies in special areas of concern. Some special studies which the Committee may rquire, including one already requested in part and another approved in principle, are the following:

—Foreign ocean programs (comparative studies relating to domestic programs);

—Relationship of national ocean policy to national economic security and international ocean affairs;

—Evaluation of the National Sea Grant Program and the International Decade of Ocean Exploration (IDOE);

—Evaluation of deep seabed hard minerals development following the 1975 Law of the Sea Conference; and

—Examination of the issues involved in Federal atmospheric science and weather programs.

These special studies are discussed in detail in the following paragraphs.

1. FOREIGN OCEAN PROGRAMS

The Committee has requested CRS to conduct a preliminary analysis of the Russian ocean program. This preliminary analysis, which was completed in early February, 1975, may lead to a full in-depth analysis of foreign, particularly Russian, ocean programs.

A full analysis of the Russian ocean program would be particularly important to NOPS. It would highlight, perhaps better than anything else could do, the vital importance that the U.S.S.R. attaches to the ocean; and it would emphasize the vast resources that Russia has devoted to the scientific, technological, commercial, political, and military aspects of ocean development.

The full analysis will also include important aspects of the ocean programs of other nations.

Following this report, the NOPS may hold hearings, on the subject of Russian and other foreign ocean programs. CRS could provide background materials for such hearings and, following the hearings, analyze the testimony and other materials in support of further Committee legislative actions.

2. RELATIONSHIP OF NATIONAL OCEAN POLICY TO NATIONAL ECONOMIC SECURITY AND INTERNATIONAL OCEAN AFFAIRS

NOPS has already approved in principle a study to be conducted by CRS on the relationship of national ocean policy to national economic security and international ocean relations.

The study would analyze (1) what national economic security means in terms that are meaningful to the mandate of the National Ocean

Policy Study, (2) the basic issues involved in the Nation's international ocean relations, (3) the ways in which national economic security and international ocean relations represent conflicting national goals, and (4) how a balanced national ocean policy could contribute to improving both national economic security and international ocean relations.

The purpose of this study would be to quantify in some way and to make explicit the importance of national ocean policy to the Nation. Hopefully, the study would also set the tone and benchmarks for the conduct of the National Ocean Policy Study and in this sense it could be thought of as the basic philosophical document for the entire NOPS program.

The final part of the study would be the preparation of draft policy alternatives to assist the Committee in the conduct of the National Ocean Policy Study.

3. EVALUATION OF THE NATIONAL SEA GRANT PROGRAM AND THE INTERNATIONAL DECADE OF OCEAN EXPLORATION

The National Sea Grant College Program was established by Congressional initiative in 1966. Based on the extraordinary success of our land grant college system in developing the agricultural resources of the Nation, the Sea Grant College Program was designed to apply the same system of education, applied research, and extension and advisory services to the development of our marine resources.

Although appropriations for the program have lagged far behind the levels authorized by the Congress, the program has been a major factor in developing and strengthening centers of oceanographic and marine competence at universities and non-profit institutions in 20 states.

The Sea Grant Act was broadly written by the Congress to avoid narrow categorical approaches to marine resource development and to emphasize cohesive, multi-disciplinary approaches to development of marine resources. It has contributed substantially to a restructuring of university marine programs in order to focus them more effectively on ocean and coastal zone resource problems.

Although the Sea Grant Program was established before environmental concerns, coastal zone management, and energy problems emerged as ocean program considerations in the 1970's, a major portion of current Sea Grant supported work is devoted to these important areas. In some states, Sea Grant institutions have become either the officially designated or de facto research centers for state coastal zone management programs.

As the Sea Grant College Program approaches its tenth anniversary, it may be timely to consider a full evaluation of the program, and to determine how it may be strengthened. Among the questions that might be considered in such an evaluation are the following:

(1) How effective have the Sea Grant Program and the Sea Grant institutions been in responding to the changing national needs by providing information, education, and advisory services required to deal with environmental and energy problems. An important facet of this question is how the Sea Grant College Program relates to and works with the Coastal Zone Management Program within NOAA, and the relationship of the Sea Grant institutions in the field to the development of state plans.

(2) The current authorization level for the Sea Grant College Program was established in 1973 based on administration projections, outlined in Committee hearings, for establishment of Sea Grant Programs to serve the educational, applied research, and extension services needs of each of the coastal and Great Lakes states. That objective has not been met, primarily because of budgetary restraints. NOPS might wish to consider how Sea Grant can be strengthened to meet those needs in areas still lacking adequate marine education, research, and extension services.

(3) The relationship of Sea Grant sponsored research, conducted by Sea Grant institutions, to the overall federal government ocean research program. For example, the National Advisory Committee on Oceans and Atmosphere (NACOA) recommended in its June, 1974 report full funding of the Sea Grant Program as one way of meeting research needs in the coastal zone.

The staff will conduct an analysis to provide inputs to the Committee for its determination of whether or not to hold oversight hearings on the program.

The International Decade of Ocean Exploration has been subject to annual review as part of the Congress' consideration of authorizations for the National Science Foundation. IDOE is designed to improve understanding of the oceans' influence on man's activities and of man's impact on the marine environment through a cooperative international scientific effort. The Committee may wish to consider a review of this program during the 94th Congress to determine how well it is fulfilling its legislative mandate in the broad context of Federal ocean-related activities. The staff will work with the staff of the Special Subcommittee on the National Science Foundation in providing information to the Committee to be used in determining whether to hold oversight hearings on this program.

4. EXAMINATION OF DEEP SEABED HARD MINERALS DEVELOPMENT FOLLOWING THE 1975 LAW OF THE SEA CONFERENCE

Legislation was introduced in the 93d Congress (S. 1134) and referred to the Senate Committee on Interior and Insular Affairs and the Committee on Commerce on the subject of deep seabed hard minerals development. Although no legislation was enacted during the 93d Congress, the situation could change following the 1975 Law of the Sea Conference in Geneva, scheduled for March through May 1975, since the development of deep seabed resources is currently one of the major aspects of international ocean relations.

The Committee and NOPS, in cooperation with the Committees on Interior and Insular Affairs and Foreign Relations, may wish to evaluate the outcome of the Law of the Sea Conference in regard to deep seabed hard minerals to assist the Committees in determining whether to hold hearings on the development of these deep seabed resources.

5. EXAMINATION OF THE ISSUES INVOLVED IN FEDERAL ATMOSPHERIC SCIENCE AND WEATHER PROGRAMS

A major area of ocean-related concern that has not received a great deal of attention from the National Ocean Policy Study to date is Fed-

eral activity related to atmospheric sciences, weather programs, and the Weather Service.

The ocean is generally recognized as being perhaps the major "engine" of the world's weather. Attempts to predict weather, particularly on a long-term basis, to predict natural disasters, and to modify weather are all within the purview of the National Ocean Policy Study.

The Committee may wish CRS to prepare an issues paper to define for Committee consideration those areas related to atmospheric science and weather programs which the Committee could most profitably investigate during the 94th Congress. The issues paper could also provide preliminary analyses of those aspects of atmospheric science and weather programs which would seem to be the most likely candidates for Committee interest and perhaps legislative activity in the 94th Congress.

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